HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 4421 OF 2006

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Dated 21st April, 2006

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Between:

Seasons Health Care Limited and others.

… Petitioners.

And

Government of A.P., Health, Medical & Family

Welfare Department represented by its

Principal Secretary and others.

… Respondents.

ORDER:

Though the petitioners have questioned the validity of G.O.Rt.No.93, dated 27.1.2006 issued by the Health, Medical and Family Welfare Department of Government of Andhra Pradesh giving directions to adhere to the instructions issued by the Industries and Commerce Department, dated 9.1.2005 in Memo No.15702/Tex.2/2005-2 regarding procurement of Handloom Gauge Cloth, Bandage

cloth and Roller bandages only from handloom manufacturing units who are having drug licences, but, in view of the stand of the Government in the counter affidavit that the matter is pending consideration and proposals are under examination on the representation filed by the petitioners, learned counsel for the petitioners without pressing for the relief sought for in the writ petition, seeks directions to the Government to take decision on the representation within a particular time.

Heard learned counsel for the petitioners, learned Government Pleader and Shri S.Lakshma Reddy, counsel for 5th respondent.

The primary contention of the learned counsel for the petitioners is that once drug licence has been obtained by the petitioners, they stand on the same footing as that of other suppliers and there cannot be any discrimination against them in the supply of materials like Handloom Gauge cloth, bandage cloth and roller cloth.

However, in the counter affidavit filed by the respondents 1 and 2, it is stated that subsequent to the filing of the writ petition, petitioners have represented to the Government on 3.2.2006 for inclusion of all SSI units for supply of gauge cloth, bandage cloth and roller bandages and the same is pending consideration and the proposals are under examination in consultation with the Industries and Commerce Department.

As much as representation is already pending consideration and the proposals are under examination, I direct the respondents to consider the representation dated 3.2.2006 and pass appropriate orders within a period of six weeks from today. It is also open to the respondents to take note of the objections from the 5th respondent-association while considering representation dated 3.2.2006.

With the above directions, the writ petition is disposed of. No costs.

2006. **(R.SUBHASH REDDY, J.)**

VR.